



PATENT
ATTORNEY DOCKET NO.: 056103-5084-06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Sung Ho BYUN et al.)
Application No.: 10/043,900) Group Art Unit: 2876
Filed: January 11, 2002) Examiner: D. Lee
For: COUNTER-TOP SCANNER WITH BUMP)
PROTECTION MECHANISM AND SCAN)
ANGLE ADJUSTMENT MECHANISM)

Commissioner for Patents
U.S. Patent and Trademark Office
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Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

RESPONSE TO RESTRICTION/ELECTION

This election is made in response to the Office Action dated September 10, 2003, the period for has been extended to run through November 10, 2003, by a petition for a one-month extension of time submitted herewith.

During a telephone conference conducted with the Examiner on October 9, 2003, the Examiner re-identified the figures associated with each species as follows: Group I – Figs. 1-4, 15-17; Group II – Figs. 5-14, 22-31. The Examiner indicated that Figs. 18-21 are generic to both Group I and Group II.

In response to the revised restriction, Applicants hereby provisionally elect without traverse the species of Figs. 1-4, 15-17 and 18-21 of the invention as identified by the Examiner. Applicants assert that claims 1-51 are readable on the elected species of Figs. 1-4, 15-17 and 18-21 and that currently no claims are generic claims readable on all species of Figs. 1-4, 15-17 and 18-21, as identified by the Examiner.

Accordingly, examination of at least claims 1-51 is requested at this time. In the event one or more of the generic claims are indicated as being allowable, Applicants request consideration of additional claims per the Office Action and 37 C.F.R. § 1.141.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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By: William G. Battista, Jr.

Reg. No. 37,525

Date: November 7, 2003

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